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Chambers of Vincent L. Briceotti

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**DATE FILED:** 7/2/24

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CERIOUS McCRAY,  
Petitioner,

v.

ADRIAN H. ANDERSON,  
Sheriff of Dutchess County Jail,  
Respondent.  
-----X

**ORDER**

20 CV 2247 (VB)

Petitioner, who is proceeding pro se and in forma pauperis, commenced this action by filing a petition for writ of habeas corpus dated March 12, 2020. (Doc. #2). At that time, petitioner was incarcerated at the Dutchess County Jail.

On September 28, 2020, petitioner's address was updated on the docket to reflect the address on recent filings: 15 South Bridge Street, Apt. 416, Poughkeepsie, New York 12601. (See Docs. ##21-23).

On July 1, 2024, mail sent to petitioner containing the Court's order vacating the order of reference dated June 18, 2024 (Doc. #37), was returned and marked "Not Deliverable As Addressed Unable To Forward."

This mailing was sent to petitioner at the address listed on the docket and reflected on the most recent filing sent by petitioner to the Court (see Doc. #36): 15 South Bridge Street, Apt. 416, Poughkeepsie, New York 12601.

The docket also lists the following phone number for petitioner: (845) 486-3141. Chambers staff called this number today attempting to contact petitioner for an updated address, but the phone number is no longer associated with petitioner or the listed address.

As stated in the "Habeas Information Package" sent to petitioner on April 15, 2020 (Doc. #7), it is petitioner's responsibility to notify the Court in writing if his address changes, and the Court may dismiss the action if petitioner fails to do so. The Habeas Information Package mailed to plaintiff also contained a blank "Notice of Change of Address" form.

**Accordingly, by August 1, 2024, petitioner must update the Court in writing as to his current address. Failure to comply with the Court's Order may result in dismissal of the action for failure to prosecute or comply with Court orders. Fed. R. Civ. P. 41(b).**

Chambers will mail a copy of this Order and additional copies of the Court's orders dated June 18, 2024, and June 20, 2024 (Docs. ##37-38), to petitioner's last known address as listed on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

Dated: July 2, 2024  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti  
United States District Judge

K